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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/682,602

09/26/2001

John Eric Hershey

RD-27364

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6147 7590 12/17/2007

GENERAL ELECTRIC COMPANY

GLOBAL RESEARCH

PATENT DOCKET RM. BLDG. K1-4A59

NISKAYUNA, NY 12309

EXAMINER

KARMIS, STEFANOS

ART UNIT

PAPER NUMBER

3693

NOTIFICATION DATE

DELIVERY MODE

12/17/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

09/682,602

Applicant(s)

HERSHEY, JOHN ERIC

Examiner

Stefano Karmis

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. The following communication is in response to Applicant's amendment filed 01 October 2007.

#### *Status of Claims*

2. Claims 1, 20, 24 and 45 are currently amended. Claims 1-48 are currently pending.

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6-11, 13-27, 29-34, 36-41 and 43-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levine et al. (hereinafter Levine) U.S. Patent 6,233,566 in view of Tealdi et al. (hereinafter Tealdi) U.S. Publication No. 2001/0029482.

Regarding independent claims 1, Levine teaches an apparatus for securing financing and managing repayment of a loan, the apparatus comprising:

a loan request input module for receiving a request for the loan from a borrower (column 11, lines 26-50);

a processor connected to the loan request input module for processing the request for the loan (column 11, lines 26-50);

a credit evaluation module connected to the processor for determining a credit evaluation of the borrower based on the request for the loan (column 11, lines 51-54);

a loan determination module connected to the processor and receiving at least the credit evaluation, the loan determination module determining at least a first status of the loan based on predetermined criteria wherein terms of the loan are provided to the borrower when the first status has been determined (column 14, lines 36-41);

a financing solicitation module connected to the processor for soliciting financing for the loan from investors when the first status of the loan has been determined (column 15, lines 53-67); and

a repayment module connected to the processor for servicing and managing repayment of the loan by the borrower (column 24, line 58 thru column 25, line 24).

Levine fails to teach a financing solicitation module connected to the processor for soliciting one financing entity to purchase at least one of a plurality of subscriptions for the loan. Tealdi teaches an online mortgage approval and settlement system and method which includes a bulk sale process (page 10, paragraph 0142; Examiner notes that the percentage bought is analogous to a subscription and that all percentages sold would add up to the total digital loan). They system receives a digital loan from a mortgage bank, and once received, the system puts the loan on the market place with an asking price, which may be expressed as a dollar amount or a percentage of the loan amount (page 11, paragraphs 0145-0146). Once sold, the transaction access rights are transferred from the mortgage bank to the conduit bank purchasing the digital

loan record (page 11, paragraph 0152). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Levine to teach securing financing for a loan through subscriptions as taught by Tealdi because it provides for processing of larger loans such as loans while minimizing the financial burden and risk on the mortgage bank by spreading the burden/risk to a plurality of financial entities.

Independent claims 20, 24 and 45 contain similar amendments to claim 1 and are therefore rejected under the same reasoning.

Claims 2, 8, 14, 16, 18, 22, 25, 32, 40 and 43 wherein the input module comprises an electronic channel connected to a wide area network (WAN) (column 9, lines 62 thru column 10, line 8; Also Tealdi, page 6, paragraph 0095).

Claims 3, 9, 15, 17, 19, 23, 26, 33, 41 and 44 wherein the wide area network (WAN) comprises the Internet (column 10, lines 8-21: Also Tealdi, page 6, paragraph 0095).

Claims 4, 10, 27 and 34, wherein the input module comprises an electronic channel connected to a public switched telephone network (column 11, lines 26-50: Also Tealdi, page 6, paragraph 0095).

Claim 6 and 29, wherein the loan request input module comprises an electronic channel connected to a voice synthesizer unit and a speech recognition system (column 14, lines 42-53 Also Tealdi, page 15, paragraph 0186).

.Claim 7 and 30, wherein the loan request input module comprises an electronic channel connected to a dual tone multi-frequency telephone network (column 11, lines 26-50).

Claim 11, wherein the processor is connected to at least one monitor (column 18, lines 52-67).

Claim 13, wherein the processor further comprises at least one data entry terminal (Figure 2A and 2B).

Claim 21, further comprising a repayment module connected to the processor for servicing and managing repayment of the loan by the borrower (column 24, line 58 thru column 25, line 24).

Claim 31, wherein the step of obtaining the credit evaluation of the borrower comprises obtaining the credit evaluation of the borrower using a credit evaluation module (column 19, lines 37-57).

Claim 36, wherein the step of assigning the risk level to the borrower comprises determining the risk level according to at least one pre-stored risk table (column 19, lines 37-57 and column 25, line 55 thru column 26, line 18).

Claim 37, wherein the step of assigning the risk level to the borrower comprises determining the risk level according to predetermined criteria (column 19, lines 37-57 and column 25, line 55 thru column 26, line 18).

Claim 38, wherein the step of providing the terms of the loan to the borrower comprises determining the terms of the loan according to at least one pre-stored loan repayment schedule (column 24, lines 58 thru column 25, line 8).

Claim 39, wherein the step of providing the terms of the loan to the borrower comprises determining the terms of the loan according to predetermined criteria (column 14, lines 36-41).

Claim 46, wherein the wide area network (WAN) comprises the Internet (column 10, lines 8-21).

Claim 47, further comprising the step of managing repayment of the loan via the wide area network (WAN) (column 24, line 58 thru column 25, line 24).

Claim 48, wherein the wide area network (WAN) comprises the Internet (column 10, lines 8-21).

5. Claims 5, 12, 28, 35 and 42 rejected under 35 U.S.C. 103(a) as being unpatentable over Levine et al. (hereinafter Levine) U.S. Patent 6,233,566 in view of Tealdi et al. (hereinafter Tealdi) U.S. Publication No. 2001/0029482 in further view of Official Notice.

Claims 5, 28 and 35, Levine teaches the use of telephone networks for communication (column 11, lines 26-50). Levine also teaches registering fax numbers (column 21, lines 41-57). Levine fails to specifically teach that the electronic channel is connected to a facsimile machine, wherein the facsimile machine is connected to a public switched telephone network. Official Notice is taken that connecting facsimile machines for communication in a network is old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Levine and include facsimile machine connected to the network because Levine teaches the use of phone networks and registering fax numbers, which would be required for the communication.

Claim 12, Levine fails to teach that the processor is connected to at least one printer. Official Notice is taken that printers connected to a network are old and well known in the financial arts. It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Levine and include connecting a printer because it allows to take the loan information from the GUI and print it out as a hardcopy.



Claim 42, Levine fails to teach the step of executing using an electronic signature of the borrower. Official Notice is taken that electronic signatures are old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Levine and include electronic signatures because it provides for authentication of the customers in a network environment such as that taught by Levine.

#### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-48 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Respectfully Submitted  
Stefano Karmis  
03 December 2007

A handwritten signature in black ink, appearing to read 'Stefano Karmis', with a long horizontal stroke extending to the right.